

**UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF PENNSYLVANIA**

KIM MILLBROOK, :
Plaintiff : CIVIL ACTION NO. 3:15-CV-0832
: (Judge Nealon)
v. :
:
UNITED STATES OF AMERICA, :
Defendant :
:

ORDER

AND NOW, THIS 12TH DAY OF SEPTEMBER, 2016, for the reasons set forth in the Memorandum of this date, **IT IS HEREBY ORDERED THAT:**

1. Defendant's motion for summary judgment, (Doc. 13), is **GRANTED** in part and **DENIED** in part.
2. Defendant's motion for summary judgment, (*Id.*), is **GRANTED** with respect to any of Plaintiff's claims seeking monetary damages for a due process claim arising out of his disciplinary proceeding that has not been overturned or invalidated and the intentional tort claims advanced against EMT Barth and EMT George.
3. Defendant's motion for summary judgment, (*Id.*), is **DENIED** as to Plaintiff's negligence claims and remaining intentional tort claims.
4. The parties may file any additional dispositive motions within thirty (30) days of the date of this Order.
5. Failure to file a timely dispositive motion will result in the above-captioned action being set down for pre-trial conference and trial at the convenience of the Court.

/s/ William J. Nealon
United States District Judge